

The Gazette of India



PUBLISHED BY AUTHORITY

SIMLA, SATURDAY, FEBRUARY 6, 1954

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART III—SECTION 3

Notifications relating to Minor Administrations

OFFICE OF THE CHIEF COMMISSIONER, BILASPUR (SIMLA HILLS)

NOTIFICATIONS

Bilaspur, the 20th January 1954

No. Jud-7/53—The Chief Commissioner, Bilaspur State is pleased to appoint Shri Hardayal, Magistrate, 1st Class as Revenue Assistant for the State of Bilaspur with effect from the forenoon of 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 20th January 1954

No. Jud-7/53—The Chief Commissioner is pleased to empower Shri Hardayal, Magistrate of the 1st Class, Bilaspur State, to take cognizance under sub-section (i) clause (C), of Section 190 Cr. P.C. of offences for which he may try or commit for trial.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 20th January 1954

No. Jud-7/53—Under the provisions of Section 12 of the Code of Criminal Procedure, 1898, the Chief Commissioner, Bilaspur State is pleased to appoint Shri Hardayal as a Magistrate of the 1st Class in the Bilaspur State, with effect from the forenoon of 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 20th January 1954

No. Jud-7/53—The Chief Commissioner is pleased to order that Shri Hardayal, Magistrate 1st Class, Bilaspur shall also be Treasury Officer, Bilaspur with effect from the forenoon of 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 20th January 1954

No. Jud-7/53—Under the provisions of Section 27 of the Punjab Land Revenue Act, 1887 (XVII of 1887), the Chief Commissioner, Bilaspur State is pleased to confer on Shri Hardayal, Magistrate 1st Class, Bilaspur State all the powers of an Assistant Collector I Grade to be exercised within the limits of the State of Bilaspur with effect from the forenoon of the 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 21st January 1954

No. LSG-3/2/54—In exercise of the powers under Rule 30-A of the Small Town Electoral Rules as applied to Bilaspur the Chief Commissioner is pleased to alter as hereunder the dates mentioned in rule 9 of the Small Town Electoral Rules in respect of elections to the Small Town Committee, Bilaspur.

1. In rule 9(1) for the date "20th day of January" "10th day of February 1954" shall be substituted.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 21st January 1954

No. LSG-3/2/54—In exercise of the powers under Rule 9 of the Small Town Electoral Rules applicable to Bilaspur, Tehsildar Sadar is hereby appointed to enquire into the objections brought before him under rule 9 of the said rules.

No. LSG-3/2/54—It is hereby notified for the information of the General Public that a register in the prescribed form for each of election wards of the Small Town Committee Bilaspur of persons entitled to be registered as voters has been prepared and these registers are open to inspection at the Committee Office.

No. LSG-3/2/54—In exercise of the powers under sub-rule (1) of rule 9 of the Small Town Electoral Rules applicable to Bilaspur, it is notified for general information that any person whose name is not registered as a voter for elections to the Small Town Committee, Bilaspur and who claims to be so registered and any person whose name is so entered and who objects to the entry of the name of any other person may on or before the 10th day of February 1954 give notice in writing or personally or through his representative of his claim or his objection to the Tehsildar Sadar, Bilaspur State for an enquiry into the objections and claims, at the Sadar Tehsil Office, Bilaspur.

MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 21st January 1954

No. LSG-3/2/54—In exercise of the powers under Rule 30-A of the Small Town Electoral Rules as applied to Bilaspur the Chief Commissioner is pleased to alter as hereunder the dates mentioned in rules 6, 7, 9 and 11 of the Small Town Electoral Rules in respect of elections to the Small Town Committee Shri Naina Devi Ji, Bilaspur State.

1. In rule 6, for the dates between the "10th day of April" and "10th day of May" the dates between the "20th day of May 1954" and "10th June 1954" shall be substituted.
2. In rule 7 for the date "31st day of December" the date "28th day of February 1954" shall be substituted.
3. In rule 9(1) for the date "20th day of January" the "10th day of March 1954" shall be substituted.

4. In rule 9(iv) for the date "last day of February" the date "31st day of March 1954" shall be substituted.
5. In rule 11(1) for the date "15th day of February" the date "20th day of March 1954" shall be substituted.
6. In rule 11(1) for the date "last day of February" the date "31st day of March 1954" shall be substituted.
7. In rule 11(iii) for the date "5th day of March" the date "5th day of April 1954" shall be substituted.
8. In rule 11(iii) for the date "12th day of March" the date "10th day of April 1954" shall be substituted.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 22nd January 1954

No. Jud-7/53-54—Under the provisions of Section 27 of the Punjab Land Revenue Act, 1887 (XVII of 1887), the Chief Commissioner, Bilaspur State is pleased to confer on Shri Devi Ram, Tehsildar, Ghumarwin, Bilaspur State all the powers of an Assistant Collector II Grade to be exercised within the limits of the Tehsil Ghumarwin with effect from the forenoon of the 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

Bilaspur, the 22nd January 1954

No. Jud-7/53—Under the provisions of Section 12 of the Code of Criminal Procedure, 1898, the Chief Commissioner, Bilaspur State is pleased to vest Shri Devi Ram, Tehsildar, Ghumarwin with the powers of Magistrate II Class to be exercised within the jurisdiction of Tehsil Ghumarwin with effect from the forenoon of 14th January 1954.

By order
MAHABIR SINGH
Deputy Commissioner

OFFICE ORDERS

Bilaspur, the 22nd January 1954

No. Jud-7/53—In exercise of the powers vested in me under Section 190(3) of the Cr. P.C. I, Mahabir Singh, District Magistrate, Bilaspur State, hereby empower Shri Hardayal, Magistrate of the 1st Class, Bilaspur, to take cognizance under sub-section (1) clause (a) or clause (b) of Section 190 of the said Code of offences for which he may try or commit for trial.

No. Jud-7/53—In exercise of the powers vested in me under sub-section (2) of Section 192 of the Cr. P.C. I, Mahabir Singh, District Magistrate, Bilaspur State, empower Shri Hardayal, Magistrate of the 1st Class, Bilaspur State, to transfer any case of which he has taken cognizance, for enquiry of trial to any other Magistrate in the State of Bilaspur, who is competent under the Code to try the accused or commit him for trial.

No. Jud-7/53-54—In exercise of the powers vested in me under Section 190(3) of the Cr. P.C. I, Mahabir Singh, District Magistrate, Bilaspur State, hereby empower Shri Devi Ram, Magistrate II Class, Tehsil Ghumarwin, Bilaspur State, to take cognizance under Sub-Section (1) Clause (a) or Clause (b) of Section 190 of the said Code of offences for which he may try or commit for trial.

MAHABIR SINGH
Deputy Commissioner

Simla 4, the 30th January 1954

No. Rev(Ft)-14/54—Whereas it appears that land is likely to be required to be taken by Government at the public expense for a public purpose, namely for the construction of quarters at Dakri by the Forest Department, Bilaspur State. It is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is issued under the provision of Section 4 of the Land Acquisition Act 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid Section the Chief Commissioner, Bilaspur, is pleased to authorise the officers for the time being engaged in the undertaking with their servant workmen to enter upon the survey any land in the locality and do all other acts required or permitted by that section.

Any person interest who has any objection to the acquisition of any land in the locality, may within 30 days of the publication of this notification in the Gazette of India file an objection in writing before the Collector Bilaspur (Simla Hills).

Specifications

State	District & Tehsil	Locality Mauza	Khasra Nos.	Area	
				Bighas	Biswaas
Bilaspur	Bilaspur Ghumarwin	Village Dakri	08, 115/1 and 117/2 and 118.	8	..

By order
BISHAN DAS
Secretary

to the Chief Commissioner, Bilaspur

NOTIFICATION

Simla 4, the 30th January 1954

No. Adm-36/54—In pursuance of para 3 of this Office Notification No. Adm-36/54, dated the 6th January 1954 the Chief Commissioner Bilaspur is pleased to declare the following days as closed holidays to be observed by the public offices under the Bilaspur Administration.

1. 13th January—Lohri Festival.
2. 30th January—Mahatma Gandhi's Martyrdom Day.
3. 22nd and 23rd March—Nalwari Fair.
4. 5th to 7th August—Shri Naina Devi Ji's Fair.

By order
BISHAN DAS
Secretary

to the Chief Commissioner, Bilaspur

GOVERNMENT OF KUTCH

NOTIFICATIONS

Bhuj, the 22nd January 1954

No. D-232(NES)/53—In exercise of the powers delegated to him under Supplementary Rule 2(10) read with item 43 of Appendix 14 of Vol. II of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules, the Chief Commissioner for Kutch is pleased to declare the Block Development Officer, Rahpar as a Head of the Department for his office and all the works to be carried out under the National Extension Service—Rahpar Block.

2. Pending fixation of powers of the Block Development Officer, by the Community Projects Administration, the Block Development Officer, Rahpar will exercise the following powers under various financial Regulations of the Central Government :—

- (1) Powers of the 'Head of an office' under F.R. and S.R. and Drawing and Disbursing Officer for the National Extension Service—Rahpar Block.
Full powers.
- (2) Powers to sanction casual leave :
Full powers in respect of non-gazetted Government servants.
- (3) Powers to sanction earned leave including leave without pay and allowance :
Full powers, except powers to grant special disability leave under F.R. 83, to all non-gazetted staff working under him.
- (4) Powers to sanction earned increment according to prescribed rules in respect of salaried posts :
Full powers in respect of non-gazetted Government servants working under him except in cases where efficiency bars have to be crossed.
- (5) Powers to allow mileage allowance by a route other than the shortest or cheapest route :
Full powers only in respect of non-gazetted Government servants, who are under his control.

- (6) Powers to act as Controlling Officer under Supplementary Rules for travelling allowance claims :

Full powers in respect of non-gazetted Government servants working under him.

- (7) Powers to require medical certificate of fitness before return from leave :

Full powers in respect of all Government servants working under his control.

- (8) Powers to sanction write-off of stores :

Upto Rs. 20 in each case and Rs. 150 in a year for one single item provided the losses are not due to theft, fraud or negligence.

- (9) Powers to determine the number of workers to be employed on daily rate of wages on works other than the constructional :

Full powers within the frame-work of sanctioned estimates.

- (10) Powers to fix wages of daily rated workers :

Upto a maximum of Rs. 4 per day per worker.

- (11) Powers to discharge or accept resignation of workers on daily rates of wages :

Full Powers.

- (12) Powers to sanction increment of wages to workers :

Upto a maximum of As. 4 once every six months provided the total wage after increment does not exceed the limit upto which he is competent to fix the wage of a worker.

- (13) Powers to fix piece-rate of work for a group of workers (other than constructional work)

Full powers within sanctioned "Detailed Estimates".

- (14) Powers to sanction expenditure on maintenance work :

Upto Rs. 200 for each item of work within sanctioned estimates.

- (15) Powers to sanction contingent expenditure on items not specifically mentioned elsewhere :

Upto Rs. 100 for a single item of non-recurring nature and Rs. 10 per month for a single item of recurring nature.

- (16) Powers to sanction expenditure on demurrage charges :

Upto Rs. 50 for a single case subject to the condition that the demurrage charges are not due to negligence of any Government servant.

- (17) Powers to sanction expenditure on local purchase of stationery :

Rs. 5 p.m. in each case subject to a limit of Rs. 50 in any financial year.

- (18) Powers to sanction expenditure on repairs to motor vehicles :

Upto Rs. 200 per vehicle per annum.

- (19) Powers to sanction expenditure on purchase of miscellaneous stores for office use, such as tumblers, water pots etc.:

Upto Rs. 50 at a time.

- (20) Powers to sanction expenditure on upkeep of typewriters, calculating machines etc. :

At the rate of Re. 1 per mensem per machine.

- (21) Powers to sanction expenditure on repairs to erection and removal of machinery, equipment and repairs to furniture and fixtures :

Upto Rs. 200 in each case of repairs, erection, removal etc.

- (22) Powers to sanction expenditure on the purchase of furniture and fixture—the limit shall apply to the cost of furnishing one office :

Upto Rs. 100 within sanctioned "Detailed Estimates".

- (23) Powers to prescribe a Government servant headquarters :

Full powers in case of non-gazetted Government servants.

By order

B. G. KHABADE

Chief Secretary to the Government of Kutch

Bhuj, the 25th January 1954

No. D-232(NES)/53—In exercise of the powers delegated to him under paragraph 3 of the Government of India, Ministry of States letter No. F.65(1)-Econ/52, dated

the 23rd February 1953 read with their further letter No. F.65(1)/E-52, dated the 7th October 1953, the Chief Commissioner for Kutch has been pleased to delegate to the Chief Secretary to the Government of Kutch the same powers as are enjoyed by him in connection with the Community Projects Scheme vide this office Notification No. D-63(CP)/52, dated the 5th June 1953 for the implementation of the National Extension Service Programme in Kutch.

By order

S. B. PATIL
Secretary

to the Chief Commissioner for Kutch

Bhuj, the 25th January 1954

No. D-232(NES)/53—Reference this Government orders Nos. D-180(NES)/53 and D-232(NES)/53, dated respectively the 20th August 1953 and the 22nd January 1954.

2. The Chief Commissioner for Kutch is pleased to continue Shri D. C. Gor as Block Development Officer, Rahpar with a gazetted status in Class II service.

By order

S. B. PATIL
Secretary

to the Chief Commissioner for Kutch

GOVERNMENT OF AJMER Education Department

NOTIFICATIONS

Ajmer, the 21st January 1954

No. 14/44/53-Edn.(I)—The following Officials are appointed to officiate as Head Masters of Government High Schools with effect from the dates mentioned against each :—

Names	Schools	Date of Joining
1. Shri M. A. Siddiqui, Assistant Master, Government Monia High School, Ajmer.	Head Master, Government High School, Pisangan.	23-12-53 (fore-noon)
2. Shri R. C. Banerji, Officiating Lecturer, Teachers' Training Institute, Ajmer.	Head Master, Government High School, Pisangan.	31-12-53 (fore-noon)
3. Shri N. R. Bhatti, Assistant District Inspector of Schools, Ajmer.	Head Master, Government High School, Todgarh.	24-12-53 (after-noon)

No. 14/44/53-Edn.II—The following transfers of Head Masters are ordered with effect from the dates mentioned against each :—

Names	From	To	Date of handing over or relinquishing charge of the former School	Date of assuming charge of the later School
1. Shri R. D. Mishra	Government High School, Pushkar.	Government High School, Ajmer.	28-12-53 (afternoon)	28-12-53 (afternoon)
2. Shri D. P. Joshi	Government High School, Ajmer.	Government High School, Pushkar.	28-12-53 (afternoon)	5-1-54 (forenoon)
3. Shri M. A. Siddiqui	Government High School, Pisangan.	Government High School, Deoli.	31-12-53 (forenoon)	6-1-54 (afternoon)

V. N. BHATIA
Deputy Secretary

Law and Judicial Department

Ajmer, the 22nd January 1954

The following Act of the Ajmer Legislative Assembly received the assent of the President on the 13th January 1954 and is hereby published for general information :—

THE AJMER PUBLIC GAMBLING ACT, 1953

Act No. VI of 1953

An Act to provide for the punishment of public gambling and the keeping of common gaming-houses in the State of Ajmer.

Be it enacted by the Legislative Assembly of the State of Ajmer as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Ajmer Public Gambling Act, 1953

(2) It extends to the whole of the State of Ajmer.

(3) It shall come into force at once.

2. Interpretation clause.—(1) In this Act—
"Common gaming-house" means—

(i) in the case of gaming—

(a) on the market price of cotton, opium or other commodity or on the digits of the number used

in stating such price, or

- (b) on the amount of variation in the market price of any such commodity or on the digits of the number used in stating the amount of such variation, or
- (c) on the market price of any stock or share or on the digits of the number used in stating such price, or
- (d) on the occurrence or non-occurrence of rain or other natural event, or
- (e) on the quantity of rainfall or on the digits of the number used in stating such quantity, any house, room, tent, walled enclosure, space, vehicle, vessel, or any place whatsoever in which such gaming takes place or in which instruments of gaming are kept or used for such gaming ;

(ii) in the case of any other form of gaming, any house, room, tent, walled enclosure, space, vehicle, vessel or any other place whatsoever in which any instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, space, vehicle, vessel or place whether by way of charge for the use of such house, room, tent, walled enclosure, space, vehicle, vessel, place or instrument or otherwise howsoever.

(2) The General Clauses Act, 1897 (X of 1897), applies for the interpretation of this Act as it applies for the interpretation of a Central Act.

3. *Penalty for owning or keeping, or having charge of, a gaming-house.*—Whoever, being the owner or occupier or having the use of any house, room, tent, walled enclosure, space, vehicle, vessel or place in the State of Ajmer opens, keeps or uses the same as a common gaming-house ; and

whoever, being the owner or occupier of any such house, room, tent, walled enclosure, space, vehicle, vessel or place as aforesaid, knowingly or wilfully permits the same to be opened, occupied, used or kept by any other person as a common gaming-house ; and

whoever has the care or management of, or in any manner assists in conducting, the business of any house, room, tent, walled enclosure, space, vehicle, vessel or place as aforesaid, opened, occupied, used or kept for the purpose aforesaid ; and

whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, room, tent, walled enclosure, space, vehicle, vessel or place :

shall be liable to imprisonment for a term which may extend to six months and shall also be liable to fine which may extend to one thousand rupees.

4. *Penalty for being found in gaming-house.*—(1) Whoever is found in any such house, room, tent, walled enclosure, space, vehicle, vessel or place, playing or gaming with cards, dice, counters, money or other instruments of gaming, or is found there present for the purpose of gaming, whether playing for any money, wager, stake or otherwise, shall be liable to imprisonment for a term which may extend to three months and shall also be liable to fine which may extend to five hundred rupees.

(2) Whoever is found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary is proved, to have been there for the purpose of gaming.

5. *Powers to enter and authorise police to enter and search.*—If the District Magistrate or any other officer invested with the full powers of a Magistrate of the first class, or the Superintendent of Police, upon credible information, and after such enquiry as he may think necessary, has reason to believe that any house, room, tent, walled enclosure, space, vehicle, vessel or place, is used as a common gaming-house,

he may either himself enter, or by his warrant authorise any officer of police, not below the rank of Sub-Inspector, to enter with such assistance as may be found necessary, by night or by day, and by force if necessary, any such house, room, tent, walled enclosure, space, vehicle, vessel or place,

and may either himself take into custody, or authorise such officer to take into custody, all persons whom he or such officer finds therein, whether or not then actually gaming ;

and may seize or authorise such officer to seize all instruments of gaming, and all moneys and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming, which are found therein ;

any may search or authorise such officer to search all parts of the house, room, tent, walled enclosure, space, vehicle, vessel or place which he or such officer shall have so entered when he or such officer has reason to believe that any instruments of gaming are concealed therein, and also the persons of those whom he or such officer so takes into custody ;

and may seize or authorise such officer to seize and take possession of all instruments of gaming found upon such search.

6. *Finding cards, etc., in suspected houses, to be evidence that such houses are common gaming-houses.*—When any cards, dice, gaming tables, cloths, boards or other instruments of gaming are found in any house, room, tent, walled enclosure, space, vehicle, vessel or place entered or searched under the provisions of the last preceding section, or about the person of any of those who are found therein, it shall be evidence, until the contrary is made to appear, that such house, room, tent, walled enclosure, space, vehicle, vessel or place is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the Magistrate or police officer, or any of his assistants.

7. *Penalty on persons arrested for giving false names and addresses.*—If any person found in any common gaming-house entered by any Magistrate or officer of police under the provisions of this Act, upon being arrested by any such officer or upon being brought before any Magistrate, on being required by such officer or Magistrate to give his name and address, shall refuse or neglect to give the same, or shall give any false name or address, he may upon conviction before the same or any other Magistrate be adjudged to pay any penalty not exceeding five hundred rupees, together with such costs as to such Magistrate shall appear reasonable, and on the non-payment of such penalty and costs, or in the first instance, if to such Magistrate it shall seem fit, may be imprisoned for any term which may extend to one month.

8. *On conviction for keeping a gaming-house, instruments of gaming to be destroyed.*—On conviction of any person for keeping or using any such common gaming-house, or being present therein for the purpose of gaming, the convicting Magistrate may order all the instruments of gaming found therein to be destroyed, and may also order all or any of the securities for money and other articles seized not being instruments of gaming, to be sold and converted into money, and the proceeds thereof with all moneys seized therein to be forfeited or, in his discretion, may order any part thereof to be returned to the persons appearing to have been severally thereunto entitled.

9. *Proof of playing for stakes unnecessary.*—It shall not be necessary, in order to convict any person of keeping a common gaming-house, or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager or stake.

10. *Magistrate may require any person apprehended to be sworn and give evidence.*—It shall be lawful for the Magistrate before whom any persons shall be brought, who have been found in any house, room, tent, walled enclosure, space, vehicle, vessel or place entered under the provisions of this Act, to require any such persons to be examined on oath or solemn affirmation, and give evidence touching any unlawful gaming in such house, room, tent, walled enclosure, space, vehicle, vessel or place, or touching any act done for the purpose of preventing, obstructing or delaying the entry into such house, room, tent, walled enclosure, space, vehicle, vessel or place or any part thereof, of any Magistrate or officer authorised as aforesaid.

No person so required to be examined as a witness shall be excused from being so examined when brought before such Magistrate as aforesaid, or from being so examined at any subsequent time by or before the same or any other Magistrate, or by or before any Court on any proceeding or trial in any ways relating to such unlawful gaming or any such acts as aforesaid, or from answering any question put to him touching the matters aforesaid, on the ground that his evidence will tend to criminate himself.

Any such person so required to be examined as a witness, who refuses to make oath or take affirmation accordingly or to answer any such question as aforesaid, shall be subject to be dealt with in all respects as any person committing the offence described in Section 178 or Section 179 (as the case may be) of the Indian Penal Code (XLV of 1860).

11. *Witnesses indemnified.*—Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before the Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who, upon such examination, shall in the opinion of the Magistrate make true and faithful discovery, to the best of his knowledge, of all things as to which he shall be so examined, shall thereupon receive from the said Magistrate a certificate in writing to that effect, and shall be freed from all prosecutions under this Act for anything done before that time in respect of such gaming.

12. *Gaming and setting birds and animals to fight in public streets.*—A police officer may apprehend without warrant any person found gaming in any public street, place or thoroughfare situated within the State of Ajmer, or any person setting any birds or animals to fight in any public street, place or thoroughfare situated within the said State, or

any person there present aiding and abetting such public fighting of birds and animals.

Such person when apprehended shall be brought without delay before a Magistrate, and shall be liable to imprisonment for a term which may extend to three months and shall also be liable to a fine which may extend to one thousand rupees.

and such police officer may seize all instruments of gaming found in such public place or on the person of those whom he shall so arrest, and the Magistrate may on conviction of the offender order such instruments to be forthwith destroyed.

13. *Exemption of games of mere skill.*—Nothing in this Act shall apply to any game of mere skill wherever played.

14. *Offences by whom triable.*—Offences punishable under this Act shall be triable by any Magistrate having jurisdiction in the place where the offence is committed.

But such Magistrate shall be restrained within the limits of his jurisdiction under the Code of Criminal Procedure, 1898 (V of 1898) as to the amount of fine or imprisonment he may inflict.

15. *Penalty for subsequent offence.*—Whoever, having been convicted of an offence punishable under section 3 or section 4 of this Act, shall again be guilty of any offence punishable under either of such sections, shall be subject for every such subsequent offence to double the amount of punishment to which he would have been liable for the first commission of an offence of the same description.

16. *Portion of fine may be paid to informer.*—The Magistrate trying the case may direct any portion of any fine which shall be levied under sections 3 and 4 of this Act, or any part of the moneys or proceeds of articles seized and ordered to be forfeited under this Act, to be paid to an informer.

17. *Recovery of fines.*—All fines imposed under this Act may be recovered in the manner prescribed in the Code of Criminal Procedure, 1898 (V of 1898).

18. *Repeal of Central Act III of 1867 as in force in the State of Ajmer.*—The Public Gambling Act, 1867 (III of 1867), as in force in the State of Ajmer immediately before the commencement of this Act, is hereby repealed.

G. S. GATTONDE

Secretary to Government

Ajmer, the 22nd January 1954

The following Act of the Ajmer Legislative Assembly received the assent of the President on the 13th January 1954 and is hereby published for general information :—

THE AJMER MOTOR VEHICLES TAXATION ACT, 1953

Act No. V of 1953

An Act to impose a tax on motor vehicles in the State of Ajmer.

Be it enacted by the Legislative Assembly of the State of Ajmer as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Ajmer Motor Vehicles Taxation Act, 1953.

(2) It extends to the whole of the State of Ajmer, except the limits of the Nasirabad Cantonment.

(3) Sections 1 and 2 shall come into force at once; and the remaining provisions of this Act shall come into force on such date as the State Government may by notification in the official Gazette appoint.

2. *Interpretation clause.*—(1) In this Act unless there is anything repugnant in the subject or context,—

(a) "Collector" means the Deputy Commissioner in the State of Ajmer and includes such other officer as may be appointed as Collector by the State Government to collect revenue for the purposes of this Act;

(b) "Licensing officer" means an officer appointed by the State Government to perform the duties and exercise the powers imposed or conferred upon a licensing officer under this Act;

(c) "local body" means a Municipal Committee or a District Board or any other local taxing authority constituted under any law for the time being in force;

(d) "motor vehicle" includes a vehicle, carriage or other means of conveyance—propelled, or which may be propelled on a road by electrical or mechanical power either entirely or partially;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "quarter" or "quarterly period" means a period of three months commencing on the 1st day of April, the 1st day of July, the 1st day of October or the 1st day of January in each year and the term "quarterly" shall be construed accordingly;

(g) "State Government" means the Chief Commissioner of the State of Ajmer;

(h) "tax" means the tax imposed under this Act;

(i) "token" means a ticket to be displayed on a motor vehicle as an indication that the tax leviable thereon has been duly paid or that no tax is payable;

(j) "year" means financial year.

(2) The General Clauses Act, 1897 (X of 1897) applies for the interpretation of this Act as it applies for the interpretation of a Central Act.

3. *Imposition of tax.*—(1) A tax at the rate specified in the Schedule shall be leviable on every motor vehicle kept for use in the State of Ajmer.

(2) The tax leviable under sub-section (1) shall be paid by the person who keeps a motor vehicle for use,—

(i) annually at the rate specified in the Schedule; or

(ii) quarterly in equal instalments at one-fourth of the rate so specified, for each quarter; or

(iii) for more quarters than one at a time at one-fourth of the rate so specified, for each of the quarters;

Provided that any broken period in a quarter shall for the purpose of levying a tax be considered as a full quarter.

(3) The tax shall be paid upon a licence to be taken out and paid for under the provisions of this Act by the person who keeps the motor vehicle for use.

4. *Obligation of persons keeping motor vehicles to make declaration and to pay tax.*—(1) Every person who keeps a motor vehicle for use shall fill up and sign a declaration in the prescribed form, stating the prescribed particulars and shall deliver the declaration as filled up and signed by him to the licensing officer within 21 days of the date on which this Act comes into force, or if such person commences to keep the motor vehicle for use after that date, then before the expiration of 21 days from the day of his commencing to keep the motor vehicle for use.

(2) The tax to which he appears by such declaration to be liable shall be paid by the person keeping the motor vehicle, if for the first quarterly period before the 30th day of April, if for the second quarterly period before the 31st day of July, if for the third quarterly period before the 31st day of October, and if for the fourth quarterly period before the 31st day of January.

(3) Every person who owns any motor vehicle which is let for hire, shall for the purposes of this Act, be deemed to be the person who keeps the motor vehicle for use.

5. *Obligation to make additional declaration and to pay further tax.*—Whenever any person, who has delivered a declaration under the preceding section becomes liable to an additional tax by reason of his keeping a greater number of motor vehicles for use than he has stated in declaration, or by reason of any change in the character of any motor vehicle kept by him for use, he shall fill up and sign an additional declaration specifying with reference to such liability the particulars required by the preceding section.

Such person shall deliver the additional declaration so filled up and signed and pay such additional tax as by the last mentioned declaration appears to be payable by him to the licensing officer before the expiration of 21 days from the day of his becoming so liable as aforesaid :

Provided that when payment is made of additional tax by reason of any change in the character of any motor vehicle, an allowance shall be made for the tax already paid.

6. *Service of special notice to make declaration and to pay tax.*—The licensing officer may direct a special notice to be served upon any person requiring such person to fill up, sign and deliver to the officer named in such notice, a form of declaration, to be left with such notice, stating whether such person is or is not liable to the payment of any tax and to pay the tax to which he appears by such declaration to be liable to the person named therein before the expiration of 14 days from the date of the service of such special notice.

7. *Grant of license.*—Every licensing officer shall grant and deliver to every person who pays to him the first instalment of tax due, a license in which shall be specified the particulars of the tax paid, with any other particulars that may be prescribed. The license shall be dated on the day of granting the same and shall expire on the 31st day of March next following.

8. *Penalty for omission to comply with the provisions of section 4.*—(1) If a person (a) fails to deliver a declaration in accordance with the provisions of this Act, or (b) delivers a declaration wherein the particulars prescribed to be therein set forth are not fully and truly stated, the licensing officer may, after making such enquiry as he deems fit and after hearing the person if he desires to be heard, impose on such person any tax or additional tax for such quarterly period or periods as the licensing officer may find that such person is liable to pay under the provisions of this Act and may also impose a penalty which may extend to twice the amount of the tax to which he is found liable.

(2) The tax or additional tax imposed shall be payable before the expiry of fourteen days from the date of the licensing officer's order.

9. *Penalty for keeping a motor vehicle without a license or failure to pay tax.*—Whoever—(a) keeps a motor vehicle for use without having a proper license, or

(b) neglects or refuses to pay any amount of tax to which he is liable within one month from the expiration of the period fixed for such payment, shall be liable to pay, in addition to any arrear of tax that may be due from him, a penalty which may extend to twice the amount of the tax to which he is liable.

10. *Recovery of tax or additional tax or penalty imposed under section 8 or section 9.*—Any tax or additional tax or penalty imposed under the provisions of section 8 or section 9, may be recovered in the manner provided in section 11 for the recovery of an arrear of tax.

11. *Recovery of an arrear of tax.*—When a person neglects or refuses to pay an instalment of tax within one month from the expiration of the period fixed for such payment, the licensing officer may forward to the Collector a certificate under his signature specifying the amount of the arrears due from the person, and the Collector on receipt of such certificate shall proceed to recover from such person the amount specified therein as if it were an arrear of land revenue.

12. *Appeals.*—Any person aggrieved by an order relating to the assessment, imposition or recovery of the tax or penalty may, within a period of 30 days from the date of such order, appeal from such order to the Collector, or if the Collector is the officer who passed such order then to the Secretary to Government Incharge Transport Department. The appellate order of the Collector or the Secretary to Government Incharge Transport Department (as the case may be) shall be final and conclusive.

13. *Exemption and deductions.*—(1) The State Government may by order exempt a person or class of persons from liability to pay the whole or part of a tax in respect of any motor vehicle or class of motor vehicles, and may in like manner exclude any motor vehicle or class of motor vehicles from the operation of this Act.

(2) Whoever becomes liable to pay a quarterly instalment of tax, but proves to the satisfaction of the licensing officer that he has not used or permitted the use of the motor vehicle throughout the quarterly period preceding shall be entitled to receive an order in writing from the licensing officer exempting him from liability to pay such first mentioned quarterly instalment, and the licensing officer shall make an endorsement to that effect upon the license.

(3) If any person proves to the satisfaction of the licensing authority that he has paid before the date appointed under sub-section (3) of section 1 a tax imposed by a local body in respect of motor vehicle for whole of the year ending the 31st March 1954 or for one or more quarters of the year aforesaid or for a part of any such quarter, then he shall be exempt from payment of tax under this Act in respect of the same motor vehicle for the year, quarters or quarter aforesaid as the case may be.

(4) Nothing in this Act shall apply to tractors used solely for agricultural purposes.

14. *Bar to jurisdiction of civil and criminal Courts in matters of taxation.*—The liability of a person to pay the tax or penalty shall not be determined or questioned in any other manner or by any other authority than is provided in this Act or in rules made thereunder, and no prosecution, suit or other proceedings shall lie against any Government officer for anything in good faith done or intended to be done under this Act.

15. *Power to make rules.*—(1) The State Government may by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the State Government may make rules for all or any of the following purposes, namely :—

- (a) to prescribe the form of any declaration, license, certificate or special notice and the particulars to be stated therein ;
- (b) to prescribe the officers by whom any duties are to be performed and the area in which they shall exercise their authority ;
- (c) to provide for the total or partial exemption for a limited period from liability to taxation in respect of any motor vehicle brought into the State of Ajmer by persons making only a temporary stay in the State ;
- (d) to regulate the method of assessing and recovering the tax ;
- (e) to regulate the manner in which special notices may be served ;
- (f) to regulate the extent to which licenses may be transferred ;
- (g) to regulate the manner in which refunds may be claimed and granted ;
- (h) to regulate the manner in which appeals may be instituted and heard ;
- (i) to require that no motor vehicle shall be used in the State unless a token is displayed thereon indicating that the tax has been duly paid or that the owner of vehicle is entitled to exemption ;
- (j) to prescribe the form of tokens and the manner in which they shall be displayed ;
- (k) to provide for the issue of token and its duplicate.

16. *Penalty for breach of rules.*—(1) In making any rule under the preceding section the State Government may direct that any person contravening the rule shall be punishable with fine which may extend to twenty rupees, and in the event of any subsequent conviction for the same offence, with a fine which may extend to one hundred rupees.

(2) No court inferior to that of a Magistrate of the second class, shall try any offence punishable under this Act.

17. *Prohibition on local body regarding taxation.*—On and from the commencement of this Act it shall not be competent for any local body to impose or levy any tax on motor vehicles :

Provided that nothing in this section shall be construed as prohibiting the said local body from imposing any fee or fees on motor vehicles for any service or services rendered by the said local body ; but such fee or fees shall not exceed the reasonable cost of the service or services so rendered.

MOTOR VEHICLES TAXATION

SCHEDULE

Description of motor vehicles

Annual rate
of tax
Rs.

1. Motor cycles (including motor-scooters and motor cycles with attachment for propelling the same by mechanical power), not exceeding 8 cwt. in weight unladen—

(a) Bicycles not exceeding 200 lbs. in weight unladen

	Rs.
(b) Bicycles exceeding 200 lbs. in weight unladen	30
(c) Bicycles if used for drawing a trailer or side-car, in addition	10
(d) Tricycles	40
2. Vehicles not exceeding 5 cwt. in weight unladen, adapted and used for invalids ...	5
3. Vehicles used solely in the course of trade and industry for the transport of goods (including tricycles weighing more than 8 cwt. unladen)—	
(a) Electrically propelled but not exceeding 25 cwt. in weight unladen ...	35
(b) Vehicles other than such electrically propelled vehicles as aforesaid not exceeding 12 cwt. in weight unladen	25
(c) Vehicles exceeding 12 cwt. but not exceeding one ton in weight unladen	37½
(d) Vehicles exceeding one ton but not exceeding two tons in weight unladen	75
(e) Vehicles exceeding 2 tons but not exceeding 3 tons in weight unladen	200
(f) Vehicles exceeding 3 tons but not exceeding 4 tons in weight unladen ...	300
(g) Vehicles exceeding 4 tons in weight unladen	400
(h) Vehicles if used for drawing a trailer, in addition for each trailer, provided that two or more motor vehicles shall not be chargeable under this clause with this respect to the same trailer	50
4. Vehicles plying for hire, and ordinarily used for the transport of passengers within the limits of a Municipality—	
(a) Seating not more than four persons ...	75
(b) Seating more than four persons but not more than six persons ...	100
(c) Seating more than six persons, for every additional person that can thus be seated upto 32, in addition ...	20
(d) Seating more than 32 persons ...	700
Note.—In this paragraph the number of persons mentioned does not include the driver of the vehicle.	
5. Vehicles plying for hire and ordinarily used for the transport of passengers outside the limits of a Municipality or from a point situated within the limits of a Municipality to a point situated outside such limits or within the limits of another Municipality—	
(a) Vehicles seating not more than four persons	50
(b) Vehicles seating more than four persons but not more than six persons	75
(c) Vehicles seating more than six persons, for every additional person that can thus be seated upto 32, in addition	20
(d) Vehicles seating more than 32 persons	700
Note.—In this paragraph the number of passengers mentioned does not include driver of the vehicle.	
6. Motor vehicles other than those liable to tax under the foregoing provisions of this Schedule—	
(a) Seating not more than one person ...	40
(b) Seating more than one person and not more than three persons ...	60
(c) Seating more than three persons and not more than five persons ...	70
(d) Seating more than five persons, every additional person that can be seated	20

G. S. GAITONDE
Secretary to Government

Medical and L.S.G. Department

Ajmer, the 25th January 1954

No. 4/37/52-D&L—Dr. Madan Gopal Nangia assumed charge of the post of Civil Assistant Surgeon, Grade I, in the Victoria Hospital, Ajmer on the forenoon of the 4th January 1954.

V. N. BHATIA
Deputy Secretary

Home and Service Department

Ajmer, the 30th January 1954

No. P(1-a)/7/53-H&S—Consequent on the grant of leave to Shri Sardar Singh, I.P., Deputy Inspector General of Police, Ajmer, with effect from 1st February 1954, Shri Nag. K. Gupta, I.P.S., Superintendent of District Police, Ajmer is appointed to hold the current charge of the duties of the Deputy Inspector General of Police, Ajmer, in addition to his own with effect from the same date.

By order of the Chief Commissioner

ASOKA SEN
I.A.S.
Chief Secretary

Ajmer, the 30th January 1954

No. J(1)/8/53-H&S—Shri Harlal Singh, Deputy Jailor, Central Jail, Ajmer, who was appointed to officiate as Jailor in addition to his own duties, vide this Government Notification No. J(1)/8/53-H&S, dated the 30th May 1953, ceased to hold dual charge with effect from 29th June, 1953 forenoon and will officiate as Jailor, Central Jail, Ajmer, only, until further orders.

2. This Government Notification No. J(1)/8/53-H&S, dated the 18th June, 1953, is hereby cancelled.

By order of the Chief Commissioner

A. SEN
I.A.S.
Chief Secretary

Ajmer, the 30th January 1954

I

No. P(1-a)/11/53-H&S—Shri S. D. Puri, an Inspector of the Ajmer District Police is appointed to officiate as Deputy Superintendent of Police (Anti Corruption Department) Ajmer, with effect from the afternoon of the 4th January 1954, vice Shri J. S. Narula.

II

Shri J. S. Narula officiating Deputy Superintendent of Police (A.C.D.) relinquished charge of his office and is appointed as officiating Deputy Superintendent of Police, Ajmer (Beawar Circle) vice Shri K. D. Ghauri with effect from the afternoon of the 4th January, 1954.

III

Consequent on the appointment of Shri J. S. Narula as Deputy Superintendent of Police, Ajmer, Shri K. D. Ghauri, Deputy Superintendent of Police, Ajmer (City) ceased to hold the additional charge of the office of the Deputy Superintendent of Police, Ajmer (Beawar Circle) on the afternoon of the 4th January, 1954.

By order of the Chief Commissioner

ASOKA SEN
I.A.S.
Chief Secretary

NOTICE UNDER SECTION 6 OF THE EVACUEE INTEREST (SEPARATION) ACT, 1951

(Act LXIV of 1951)

Whereas information has been laid before that the properties described in the Schedule hereto annexed are composite properties;

And whereas the evacuee interest in the said properties is to be separated from other interest;

I, now hereby call upon all persons having an interest in the said properties to submit their claims in the prescribed form to me within sixty days from the date of this notice. In case no such claim is filed the whole property shall vest in the Custodian free from all encumbrances and liabilities.

Given under my hand and the seal of my Office this 30th day of January 1954.

C. JACOB

Competent Officer and Senior Sub-Judge, Ajmer

Serial No.	District where the property is situated	Town or Village	Municipal No.	Name of evacuee	Persons having claim as defined in Section 2 b)	Nature of Claim
1	Ajmer	Ajmer	AMC. VI/561	Amir Bux S/o Ismail, Mohd. Bux S/o Amir Bux.	Ajmer Mortgage Bank, Ajmer	Mortgage.
2	Ajmer	Nasirabad	1084	Allahadia, S/o Gulab	Usman S/o Gulab, House No. 1084, Dudla Mohalla, Nasirabad.	Co-sharer.
3	Ajmer	Beawar	1090	Umarddin S/o Wali Mohd.	Shakruddin & Noor Mohd S/o Wali Mohd. House No. 1090, 1092 Loharan Mohalla Beawar.	Co-sharer.
4	Ajmer	Beawar	1092	Do.	Do.	Co-sharer.
Application u/s 6 of the Act.						
1	Ajmer	Ajmer	AMC. VII/711	Mohammed Ismail S/o Abdul Rahim of Bera Nawab, Ajmer.	The Urban Co-operative Bank Ajmer Merwara Limited, Ajmer.	Mortgage.
3	Ajmer	Ajmer	AMC. IV/551	Anwar son of Hashmatullah of Ajmer.	Mst. Kalsum Bibi, d/o Al-lahbelli, Inderkote, House No. IX/723 Ajmer.	Mortgage.